

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**THOMAS REMICK, et al., on behalf of  
themselves and other similarly situated,**

**Plaintiff,**

**V**

**NO: 2:20-CV-01959-BMS**

**City of Philadelphia; et al.,**

**Defendants.**

**NOTICE OF SUBSTANTIAL NON COMPLIANCE**

To the Honorable Judge of Said Court:

**NOW COMES**, incarcerated persons currently housed at CFCF, on unit A-2-1, representing the following, and attached facts:

1. See attached, hand written "Notice of Substantial Non-Compliance.
2. Our regular mail and legal mail is being delivered to us anywhere from two to six weeks late, and in some cases not at all.
3. Mail from the Courts, whether it be from the State or Federal Courts, is not being delivered as LEGAL MAIL, therefore there is no urgency in delivering it to inmates once it is received by the facility.

**WHEREFORE**, we respectfully request that the matters listed in our "Notice of Substantial Non-Compliance" and here, be addressed so that these violations are not repeated, additionally we would like some form of financial compensation for the violations of our basic human rights, and constitutional rights.

**Respectfully Submitted**

**By,**



**Tyree Dumas, 1190275,**  
on behalf of inmates currently  
housed on Unit A-2-1 (CFCF)

## Notice of Substantial Non-Compliance

The Philadelphia Department of Prisons (PDP) is and has been in Substantial non-compliance of the following Sections of the *Remick v. City of Philadelphia* (2:20-cv-01959-BMS), Settlement Agreement (Doc 165-2), as explained below by inmates currently housed at CFCF, Pod A-2-1:

- ① In Violation of Item #2, we are consistently provided less than the agreed upon time-out-of-cell (Rec) each day, as we are provided anywhere from 1<sup>hr</sup> to 4<sup>hrs</sup> of Rec time on days that we are allowed out.
- ② In Violation and Contradiction of Item #4, The PDP continually reduces operating hours across all facilities, where the jails now go down (cease all inmate traffic) at 8:30<sup>pm</sup> opposed to 10:30<sup>pm</sup> Monday thru Sunday. This reduction makes it almost impossible for the PDP to honor their commitment of Restoring regular operations, where prior to Covid, inmates was receiving 8-10 hrs of Rec time, and all Program, and Services ran timely and on Schedule.
- ③ In Violation of Item #5, we are regularly refused timely medical, and mental health Services, where we are required to fill out and Submit Sick call Slips that are routinely responded to days, even weeks late.
- ④ In Violation of Item #7, Our unit has not been offered the opportunity to utilize the law library for months, especially since the unit was Moved from A-2-4 to B-1-3 to A-2-1. Even more pressing, The PDP



intentionally without regard, disobey individualized Court Orders, which grant certain inmates specific access to the law library, however is routinely denied such access as outlined in said Court Orders.

⑤ In violation of Item # 8, We are being Punitively Punished, off of the Record by the Deputy Warden of Operations, where our unit has thus far been on "Lock Down" ever the Past ten (10) days, since 8/22/2023.

During this mass lockdown we are denied Rec time and therefore we are unable to communicate with our Family, Friends, or legal team, by Phone, Tablets, and mail, we have not been able to shower, have visits, See the Social worker, receive mental health or medical treatment, Participate in programs, or utilize legal services. In fact we ~~are~~ are Subject to inhumane treatment as we aren't provided toiletries, receive improperly portioned meals that are served cold although are suppose to be hot, not able to receive Commissary orders which contain our food, healthcare, and mailing supplies, Not allowed to Clean our cells, and on one occasion taunted by Lt Radtke who shut off the entire water supply to the unit, going Cell to Cell. Throughout this period we are subject to impermissible excessive punishment (Punitive), without notification of what we did wrong or due Process in violation of Our Rights afforded to us by the Constitution of the Commonwealth of Pennsylvania, State law, the Constitution of the United States of America, and Federal Law.

⑥ In violation of Item # 9, If and when tablets are issued only anywhere from 1 to 3 have been provided to us.

- ⑦ In Violation of Item # 13, Our visits are regularly Cancelled after Confirmation, and last minute. It is only when our Family arrive at the Jail for the Scheduled visit that they find out it has been cancelled.
- ⑧ In Violation of Item # 18, The PDP unnecessarily used excessive Force by inappropriately deploying pepper spray on numerous occasions, especially during this "lockdown" Period, where LT Radtke instructed C/O Astacio to Spray an inmate (Multi 3 aka Storage Object 3 cell) while he was in the shower stall, on another occasion C/O Astacio Sprayed two inmates (Cell 15) while in their cell and locked them in, without providing timely decontamination (one of the two inmates have asthma), and literally today, C/O Cummins instructed another C/O to spray an inmate (Cell 10), who was requesting an Asthma pump that he didn't receive for more than Several Days at that time. These are only a few of the most recent instances. It is imperative that the Staff understand the Serious effect of Utilizing Pepper Spray.
- ⑨ Commissary is inarguably one of the most critical assets that inmates rely on, as we are able to order our Food, Hygiene, Stationery, Recreational, Clothing and mailing Products. Keefe and the PDP abuse their monopoly over Commissary where they have continually without notice aggressively raised the Price of all items, and in fact doubled the Price of some of the most popular items since April of 2023. The PDP feeds us toddler size meals that are typically overcooked, undercooked, misportioned, or missing items, without replacement thereof, to combat this, Those of us who can afford it, rely's heavily on Commissary to offset



our hunger as we otherwise do not eat most of the Unappeasing food that even certain animals would not consume. We haven't been able to order/recieve Online commissary orders since being moved from A-2-4 months ago, and during this lockdown period the PDP rejected our previously ordered Commissary that was due to deliver on 8/29/2023, and Slips were not distributed or collected, therefore we will not recieve Commissary on 9/6/2023, that's inline with what Staff said, Stating we would not be able to recieve Commissary for a total of three weeks.

⑩ The PDP is creating a toxic unsafe environment, where they are dictating violence amongst US inmates, this entire lockdown is presumably due to the actions of a couple inmates, however they are Punishing the entire unit, where majority off us had nothing to do with what transpired especially since we were locked in at the time of said incident. It has created a very hostile environment where some inmates have went as far as attacking one another at the behest of the Staff or to appease them.


⑪ Inmates in disciplinary segregation receives more privileges than US right now, and that includes those who may have caused this lockdown in the first place. We have not been notified as to what we allegedly have done, nor have we been afforded any type of process, hearing or otherwise.


The undersigned inmates housed on A-2-1 have personally witnessed and been subjected to all of the above mentioned committed by


PDP and its affiliates, we individually and collectively reserve our Rights to pursue legal action in efforts to seek monetary Compensation for these experiences and Violations of Human, Civil, State, Federal, and Constitutional Rights. This notification shall in no way hinder our ability to exercise such Rights. It is our hope that this notification result in Change so that we are no longer subjected to such, and current / Future inmates.

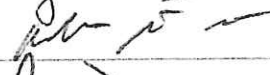
Such information herein is true and correct to the best of my Personal knowledge, information and Belief.


Dated: September 1, 2023


Clyde Dumas 1190275 


Christopher Jeffers 1232943 


Miguel Bell 1170987 Miguel Bell 

Albert Singleton 1045522 

Shafiq Johnson 1135788 

Amin JACKSON 989254 Amin Jackson 


Derrill Cunningham 936215 Derrill Cunningham 

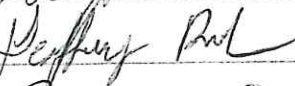
Jesus Correa 1097721 


Edelmiro Morales 1032313 

Aaron Chase 1109447 

Torren Edwards 818353 

Kerry Lighty 1018668 

Geoffrey Branch 1156412 

Jermaine Coraham 941563 



Jim Manno 1238207

Alexis Ayala 832213 Alexis Ayala

Ryan Smith 1008081 Ryan Smith

Raymond Thompson 953290

Joseph Davis 1187749 Joseph Davis

Frantz Jeanne 1236109

Tyler Sunter 1104509

B. Mowwakkil 801516

Kenneth Middleton 104211

Ajadh Lawrence 1218592

Khalif Goodwin 946362

Robert Vidra 981653

John Leisey 901683

Charles Johnson 1234319

Jamir Worthey-Brown 1224454

QuShan Webb

Junior Ukse

Dwight Hope

Carlton Allen

Gerald Johnson

Shom Oeun

Wesley Rivera

JOFFREY merdoza

JERRY L Davis

Jonathan Santiago

Khalil Marshall

Jorge Lopez

1224454 Jamir Worthey

1139402 QuShan Webb

1238333 Junior Ukse

1165806 Dwight Hope

931813 Carlton Allen

785934 Gerald Johnson

869410 Shom Oeun

980419 Wesley Rivera

1215980 JOFFREY merdoza

745010 JERRY L Davis

1227197 Jonathan Santiago

1032357 Khalil Marshall

1169642 Jorge Lopez

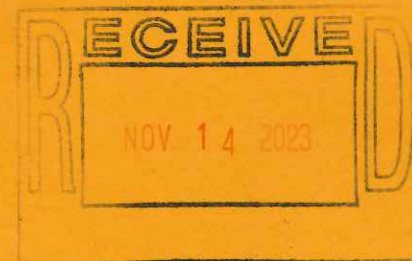
James Russell (989148) James Russell  
 Gregory Dellon (1189421) Gregory Dellon  
 Bonnie Vincent Quann (1197405) B-V-Q  
 David Gner (922652) D-G  
 Ty Ma (940630)  
 Javon Bruce (1217037) Javon Bruce  
 Angel Simons 1024203 Angel Simons  
 Daniel McQuilkin 1155634 Dan McQuilkin  
 Jason Bryant 1175260 JBryant  
 Jonathan Torres B33885 Jonathan Torres  
 Jose Perera B31694 Jose Perera  
 Amer Wharton 1188057 Amer Wharton  
 Terrence Johnson Terrence Johnson 927689  
 Shequil Clark 1000710 Shequil Clark  
 Joseph Butler 1071140 JButler  
 Brian Curry 1175858 BCurry  
 Travon Dean B1238786 Travon Dean  
 Brian Jones 895534 Brian Jones  
 Yagshaan Harris 1230590 Yagshaan Harris  
 James In 893008  
 Chris Grace 1028554 Chris Grace  
 Hameef Davis 1227903 Hameef Davis  
 Malik Wells 1049300 Malik Wells  
 Quinlan Smith 1160332 Quinlan Smith  
 Ephraim Chasten 1019540 Ephraim Chasten



Philadelphia Department of Prisons  
Philadelphia, pa 19136  
PPN 1190275



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Eastern District of Pennsylvania  
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U.S.M.S.  
X-RAY

